



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
<b>RUPPERT <i>et al.</i></b>	)	Art Unit: <b>1643</b>
	)	
Application No.: <b>10/776,133</b>	)	
	)	Examiner: <b>Canella, Karen A.</b>
Filing Date: <b>February 11, 2004</b>	)	
	)	
For: <b>"KRUPPELL-LIKE TRANSCRIPTIONAL</b>	)	Confirmation No.: <b>5751</b>
<b>FACTOR KLF4/GKLF AND USE</b>	)	
<b>THEREOF"</b>	)	

**RESPONSE TO RESTRICTION REQUIREMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 23859

Sir:

In response to the restriction requirement of September 29, 2006, applicants provisionally elect the claims of Group I (claims 1-7, 11-13, and 32-34), with traverse. Applicants respectfully request that the restriction requirement be reconsidered because the Examiner has not shown that a serious burden would be required to examine all the claims. M.P.E.P. § 803 provides:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions. (Emphasis added.)

Here, irrespective of whether the groups requested are independent and distinct inventions, the requirement should be withdrawn since the Patent Office has not shown that it

would be a serious burden to search and examine all of the groups together. Consequently, reconsideration and modification or withdrawal of the restriction requirement is requested.

Applicants believe that this constitutes a full response to the outstanding restriction requirement. To facilitate prosecution, however, Applicants request that the Examiner contact the undersigned for any clarification necessary.

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No.14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

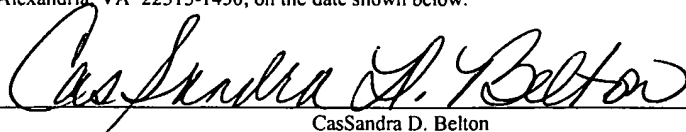
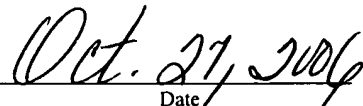


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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence as well as anything indicated as being attached or enclosed is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date shown below.

  
CasSandra D. Belton  
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
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 **RUPPERT et al.** ) Art Unit: 1643  
 )  
 Application No.: 10/776,133 )  
 )  
 Filing Date: February 11, 2004 ) Examiner: Canella, Karen A.  
 )  
 For: "KRUPPELL-LIKE TRANSCRIPTIONAL ) Confirmation No.: 5751  
 FACTOR KLF4/GKLF AND USE )  
 THEREOF" )

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 23859

Sir:

Transmitted herewith are the following:

1. Response to Restriction Requirement (2 pgs.);
2. Certificate of Mailing dated October 27, 2006; and
3. Return Postcard.

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No.14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

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Casandra D. Belton

  
Date